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October 10, 2013

Office of the Clerk  
United States Court of Appeals for the Second Circuit  
40 Foley Square  
New York, NY 10007

**Re: Webb v. Stallone et al. 13-0342-cv**

To Whom it May Concern:

I write to advise that, for medical reasons, I will not be available to appear in Court for oral argument in the above-referenced matter on any date prior to November 4, 2013. This letter supplements my Oral Argument Statement filed on August 12, 2013 and my scheduling letter dated and filed on September 9, 2013.

Thank you for your attention to this matter.

Respectfully yours,

A handwritten signature in black ink that reads "Tom J. Ferber". To the right of the signature, the letters "18SA" are handwritten vertically.

Tom J. Ferber

TJF/skh  
Enclosure

cc: David Kohane, Esq. (by email)  
Jeffrey A. Sunshine, Esq. (by email)  
*Counsel for Plaintiff*